

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

XIAFEN “SHERRY” CHEN	:	Case No. 1:19-CV-00045
Plaintiff,	:	
vs.	:	District Judge Timothy S. Black
UNITED STATES OF AMERICA, et al.	:	
Defendants.	:	

PLAINTIFF SHERRY CHEN’S MOTION TO STAY

Plaintiff hereby respectfully asks the Court to stay the decision in this matter. Plaintiff anticipates that her attorneys may come into possession of critical and significant information that could have a great impact on the Court's decision. Any such evidence is expected to be available to publicly share with the Court and Defendants in June 2021 or soon afterwards. Plaintiff recognizes this is an unusual request; but, the timing and potential contents of this information were just revealed to her counsel in a limited and strictly confidential fashion and cannot at this time be publicly revealed to the Court or to counsel for the United States.

Plaintiff’s counsel has met with counsel for the government and their position is as follows:

"We take no position on whether the Court should stay the action, particularly given that you cannot provide us with any sense of what information you believe justifies a stay. We do, however, believe that any further information Plaintiff would wish to submit regarding Defendants’ Motion would necessarily have to be submitted by seeking to yet again amend Plaintiff’s Complaint, and we would certainly anticipate opposing any such motion to amend."

Plaintiff respectfully disagrees with Defendants and asks for the Court to stay a decision in this matter until she is able to present such evidence to the Court. Counsel believes that once

this Court receives such information, it will become clear that the stay was necessary to potentially avert an injustice as this information may well relate to the seminal issues of bias against Asian American citizens because of the color of their skin or place of origin and abuse of authority.

Hence, Plaintiff respectfully requests this stay.

Respectfully submitted,

s/ Michele L. Young (0062011)
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CERTIFICATE OF SERVICE

I certify that a true copy of Plaintiff's Motion to Stay was filed electronically on April 23, 2021 using the Court's CM/ECF system, which will serve notice of this filing on all counsel of record.

s/ Michele L. Young
Attorney for Plaintiff